

§ 240.6

(b) The *General Counsel of the Department of Defense* shall provide legal advice for the implementation of this part.

§ 240.6 Procedures.

(a) An applicant requesting assistance under those criteria for FY 1991 in § 240.4(c) (1) through (4) of this part, shall submit the following:

(1) A letter of application (see sample in appendix A to this part).

(2) One original and two copies of table 8-3 and table 9, which are published by the DoED, from the following forms:

(i) ED Form 4019 (Revised 8/90 Page 8), "Fiscal Report For Sections 2, 3(d)(2)(B), and 3(d)(3)(B)(ii) Payment Purposes."

(ii) ED Form 4019 (Revised 8/90 Page 9), "Financial Burden and Effort Data."

(3) A copy of an independently audited financial report of the applicant LEA for the second preceding FY, requesting a contribution and ensuring the ADS(FM&P) that the LEA has applied for, has received, or shall receive all financial assistance from other sources for which it is qualified.

(4) The letter of application to the following address:

Assistant Secretary of Defense (Force Management and Personnel) Washington, DC 20301-4000.

(b) The applicant shall file a copy of the letter of application for financial assistance and required supportive information with the State educational agency (SEA). The SEA may submit comments on the LEA's application to the Department of Defense (at the address in § 240.6(a) of this part), by July 15, 1991. Such comments shall be considered, when applications are reviewed by the OSD.

(c) The application and all required supporting information must reach the ASD(FM&P) no later than June 30, 1991.

APPENDIX A TO PART 240—SAMPLE LETTER OF APPLICATION FOR FINANCIAL ASSISTANCE

Assistant Secretary of Defense (Force Management Personnel), Washington, DC 20301-4000

Dear Mr. Assistant Secretary:

32 CFR Ch. I (7-1-99 Edition)

Pursuant to title II of Public Law 101-511, "Department of Defense Appropriations Act," November 5, 1991, the (name of the local educational agencies (LEA)) requests financial assistance for the LEA for school year 1990-1991.

We certify that the LEA has applied for financial assistance from all sources, including the State of (name). We understand that funds available for that purpose shall be paid on a per-pupil basis for military section 3(a) students only. Enclosed find an original, and two copies, of tables 8-3 and 9 from the "Application For School Assistance in Federally Affected Areas," published by the U.S. Department of Education, and a copy of our independent audit "(title)" prepared by (name of firm or agency). We have submitted a complete and timely application for section 3 impact aid assistance to the Secretary of Education. A copy of this letter, with the above supporting information, is being submitted to the State educational agency.

Sincerely,

(Authorized LEA Official)

PART 242—ADMISSION POLICIES AND PROCEDURES FOR THE SCHOOL OF MEDICINE, UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

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242.9 Academic, intellectual, and personal requirements for admission to advanced standing.

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AUTHORITY: 10 U.S.C. 2112, et seq. Pub. L. 92-426.

SOURCE: 41 FR 5389, Feb. 6, 1976, unless otherwise noted.

§ 242.1 Purpose.

This part establishes policies and procedures and assigns responsibilities for the selection of entrants to the School of Medicine of the Uniformed Services University of the Health

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Sciences (DoD Directive 5105.45, “Uniformed Services University of the Health Sciences,” April 16, 1974).¹

§ 242.2 Applicability.

This part applies to the Office of the Secretary of Defense, the Military Departments, the Uniformed Services University of the Health Sciences (USUHS), and the Department of Defense Medical Examination Review Board (DoD MERB).

§ 242.3 Definitions.

As used herein, the following definitions apply:

(a) *Uniformed Services*. As used herein, means the Army, Navy, Air Force, Marine Corps, and the Commissioned Corps of the Public Health Service.

(b) *Military Personnel*. For purposes of this Directive, “Military Personnel” shall include the following:

(1) Individuals currently on (or on orders for) active duty for a period of 90 days or more in any of the three Military Departments.

(2) Reserve component personnel enrolled in the Armed Forces Health Professions Scholarship Program.

(3) Persons enrolled in scholarship ROTC or advanced (junior-senior level) nonscholarship ROTC.

(4) Individuals in attendance at any of the three Military Department Service Academies.

(c) *Federal-duty obligation*. The obligation to serve on active duty in the Army, Navy, Air Force, or the Commissioned Corps of the Public Health Service.

(d) *The program*. Means the Medical School program of the Uniformed Services University of the Health Sciences.

(e) *Member of the program*. An individual who is enrolled in the School of Medicine of USUHS.

(f) *Accredited institution*. A college, university, or institution located in the United States or Puerto Rico or Canada, and accredited by an accrediting agency or association that is recognized for such purpose by the U.S. Commissioner of Education. Included

within this definition are those institutions which are in the process of seeking accreditation and currently have provisional or conditional accreditation, or candidacy status for accreditation, based solely on the newness of the institution.

(g) *Medical college admission test*. A nationally standardized examination, administered by the American Medical College Testing Program, which is designed to measure general and specific aptitude for medical studies.

§ 242.4 Policies.

(a) The School of Medicine, USUHS, shall consider applications for admission from persons who:

(1) Are citizens of the United States;

(2) Are at least 18 years old at the time of matriculation, but have not become 28 years old as of June 30 in the year of admission. However, any student who has served on active duty in the Armed Forces may exceed the age limitation by a period equal to the time served on active duty provided that student has not become 34 years old by June 30 in the year of admission.

(3) Are not under 18 years of age at time of entry to the first-year class;

(4) Are of good moral character;

(5) Meet the physical qualifications and security requirements for a Regular commission in the Uniformed Services.

(i) Standards of medical fitness for commissioning in the Uniformed Services shall be chapter 5, AR 40-501² except for eyes and vision which shall be as prescribed in paragraphs 2-12 and 2-13, chapter 2.

(ii) Security requirements for commissioning in the Military Departments are prescribed in DoD Directive 5200.2.³

(6) Meet the academic, intellectual, and personal qualifications specified in §§ 242.8 and 242.9.

(7) Are motivated to pursue a medical career in the Uniformed Services;

¹Filed as part of original. Copies available from Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, Pa. 19120, Attn: Code 300.

² Army standards of medical fitness will be used as agreed to by the Secretaries of the Military Departments. AR 40-501 filed as part of original. Copies available at the Army Publications Counter, Rm 18928, The Pentagon, Washington, D.C. 20310.

³See footnote 1 to § 242.1.

(8) Are not otherwise obligated or committed for service in the Army, Navy, Air Force or Marine Corps as a result of current or prior participation in programs of study or training sponsored by these Military Services. (Unless specifically prohibited by law or Department of Defense policy, individuals may be permitted to interrupt sponsored training programs and/or associated service commitments for the purpose of entering the School of Medicine, at the discretion of the appropriate Military Department sponsor. See also paragraph (e) of this section on obligated service requirements.)

(b) In making admissions decisions, the School will adhere to the principle of equal educational opportunity for all. Sex, race, religion, national origin, marital status, and State of residence shall not be factors influencing the selection process. Aspirants seeking entrance shall be judged strictly on merit, in terms of demonstrated aptitude, motivation, and potential for succeeding in medicine, both academically and professionally. Only the most promising and best qualified of the applicants shall be accepted for admission.

(c) While enrolled in School, students shall serve on active duty as Reserve commissioned officers (Medical Officer Candidates), pay grade O-1, in one of the Uniformed Services, the Uniformed Service of assignment to be determined under procedures established by the Secretaries of the Military Departments and the Assistant Secretary of Defense Health Affairs in coordination with the President of the University. Applicants' preferences shall be honored to the extent possible in making Service assignments. However, to insure that the makeup of each entering class is equitably constituted, students shall be assigned proportionally to the three Military Departments, based on projected end strengths of the individual Medical Corps at time of graduation. Students shall not be counted against any prescribed Service strengths while in School. Individuals admitted to the School of Medicine holding Regular commissions must resign their Regular appointments to enter the School.

(d) Upon satisfactory completion of the medical school program, graduates shall, if qualified, be tendered Regular Medical Corps appointments, unless otherwise covered under 10 U.S.C. 2115.

(e) Graduates of the School shall incur a Federal active-duty obligation of 21 months for each year or portion thereof spent in medical training, except that in no case will the minimum obligation be less than 27 months. Except as law or Department of Defense policy otherwise prescribes, this obligation shall be served consecutively with any other active-duty obligation.

(f) If dropped from the School for deficiencies in conduct or studies, or for other reasons, the student shall immediately be referred for disposition to the appropriate Military Department, which shall have the prerogative of either:

(1) Requiring the individual to fulfill his incurred service obligation, as stated in the Uniformed Services Health Professions Revitalization Act of 1972 (10 U.S.C., 2101 et seq.), by performing duty in some appropriate capacity, as determined by the Secretary of the Military Department concerned. (In no case shall any such member be required to serve on active duty for any period in excess of a period equal to the period he participated in the program, except that in no case may any such member be required to serve on active duty less than one year.); or

(2) Waiving the individual's incurred service obligation, if that action would be in the best interests of that Service. (Such relief, though, shall not relieve the individual from any other active-duty obligation imposed by established law.) Individuals whose service obligation is waived may, at the discretion of the Secretary of the Military Department concerned, be required to reimburse the Government for all or a part of the tuition and other educational costs incurred. However, a member of the program may not be relieved of his Service obligation solely because he is willing and able to reimburse the Government for all educational expenses.

(g) Periods of time spent in sponsored graduate medical education shall not count toward satisfying the medical school Federal-duty obligation.

[54 FR 31335, July 28, 1989]

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§ 242.5 Admission procedures.

(a) *Application*—(1) *Civilians*. Civilians seeking admission to the School of Medicine shall make direct application following instructions published in the School catalog. These applications shall include an indication of Service preference(s).

(2) *Military personnel*. Formal application requirements shall be the same as those for civilians except that military personnel shall be required to have approval, in writing, from the Secretary of the Military Department concerned or his designee prior to submitting formal application to the School of Medicine for admission. The individual concerned shall initiate the request for approval to apply through appropriate Service channels. The Secretaries of the Military Departments, or their designees, shall consider the criteria in § 242.4(a) (1) through (5) and paragraph (a)(8) of that section as the basis for approving/disapproving such requests. An information copy of each approval shall be forwarded to the School of Medicine, USUHS, Attn: Assistant Dean for Academic Support. The School of Medicine shall not process a military person's application until official approval is received from the Military Department concerned.

(b) *Conditional selection of candidates for admission*. The School of Medicine shall review all applications and conditionally select candidates to fill available class spaces. Those conditionally selected shall be the best qualified applicants, based on aptitude, intelligence, maturity, personality, emotional stability, diligence, stamina, enthusiasm, motivation, and other relevant factors, consistent with the practices followed by other professional training institutions.

(1) *Civilian selectees*. The School of Medicine shall ensure that civilian selectees meet the eligibility criteria in § 242.4(a) (1) through (4), paragraph (a) (6) and (7) of that section.

(2) *Military selectees*. Military Departments are required to screen and approve their personnel for criteria in § 242.4(a) (1) through (5), and paragraph (a)(8) of that section before they apply for admission. The School of Medicine shall ensure that all military selectees

meet the eligibility criteria of § 242.4 (6) and (7).

(c) *Notification of conditional selection for admission*. The School of Medicine shall notify selectees in writing of their conditional selection for admission, with the stipulation that it is subject to review and confirmation by the Service in which selectees are assigned to serve.

(d) *Confirmation of selectees*. (1) The names and relevant credentials of selectees shall be referred by the School of Medicine to the Secretaries of the Military Departments or their designees. An informational copy of this action will be provided to the Assistant Secretary of Defense Health Affairs.

(2) The Secretaries, or their designees, shall initiate necessary actions (records checks, physical examinations, and National Agency Checks, as required, consistent with § 242.4(a)(5)) to determine whether or not the selected candidates are acceptable for commissioning. (Physical examinations for military personnel, if required, shall be performed at the individual's supporting military medical facility and reviewed by the Department of Defense Medical Examination Review Board (DoDMERB). Physical examinations for civilians shall be scheduled and reviewed by the DoDMERB, in accordance with the procedures and policies that agency establishes.) Secretaries of the Military Departments, or their designees, shall advise the School of Medicine as to the acceptability for commissioning of candidates within 45 days of receipt of referral lists, furnishing reasons for those found nonacceptable.

(e) *Notification of acceptance for admission*. As soon as candidates are approved for commissioning by their appropriate components, they shall be advised in writing by the School of Medicine that they are unconditionally accepted for admission.

[54 FR 31335, July 28, 1989]

§ 242.6 Central point of contact.

The Assistant Dean for Academic Support, USUHS, is designated as the central point of contact for matters pertaining to the admission procedures outlined in § 242.5.

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§ 242.7 Responsibilities.

(a) The President of the University shall:

(1) Develop and prescribe formal application procedures for admission to the School, consistent with the provisions of this part.

(2) Select candidates for admission to the School of Medicine in accordance with the policies and procedures prescribed in this part.

(3) Coordinate, as required, with the Military Department Secretaries or their designees to ensure the proper administration of the admissions process.

(4) Monitor, review, and evaluate the admissions process to assure its effectiveness and efficiency operationally, and make recommendations as required for the revision of the policies and procedures herein set forth.

(b) Secretaries of the Military Departments shall:

(1) Approve/disapprove requests of military personnel who want to apply to the School of Medicine, as prescribed herein.

(2) Carry out confirmatory requirements and ensure that the suspense for accomplishing these actions is met.

(3) Designate a representative in their respective areas to be responsible for overseeing and coordinating confirmatory action requirements. (Names of designees and any changes in designations shall be furnished to the President of USUHS.)

(4) Ensure coordination of proposed implementing regulations with the President, USUHS.

(c) Assistant Secretary of Defense Health Affairs shall determine, in coordination with the Secretaries of the Military Departments and the President, USUHS, the number of spaces in each entering class to be allocated to the respective components.

(d) Director, DoDMERB, shall:

(1) Establish necessary policies and procedures, in coordination with the Military Departments, for scheduling and reviewing physical examinations for civilian selectees, and reviewing examinations for military selectees.

(2) Review and take final action on any requests for waiver of physical standards for admission to the School.

[54 FR 31335, July 28, 1989]

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§ 242.8 Academic, intellectual, and personal requirements for admission to the first-year class.

Admission to the School of Medicine of the Uniformed Services University of the Health Sciences is on a competitive basis, with selection predicated on:

(a) Evidence of sound character and high motivation for a career in the Medical Corps of the Uniformed Services, and

(b) Evidence of sufficient intellectual ability and preparation to undertake successfully the study of medicine.

(1) *Academic requirements.* Recognizing that Service medicine needs individuals with a wide variety of interests and talents, the School of Medicine welcomes applications from individuals with a diversity of educational backgrounds. However, there are certain specific academic requirements that are requisite for admission. These are as follows:

(i) *College preparation.* All applicants must have attained a baccalaureate degree from an accredited academic institution prior to matriculation.

(ii) *Prerequisite course work.* Area of specialization in college is not a limiting factor in gaining admission to the School, but a strong foundation in the sciences basic to the study of medicine is a requirement for all entering students. The minimum undergraduate science prerequisites for entrance are:

(a) *Chemistry (inorganic or general).* 1 academic year including appropriate laboratory.

(b) *Organic chemistry.* 1 academic year including laboratory.

(c) *Mathematics.* 1 academic year.

(d) *Physics.* 1 academic year including laboratory.

(e) *Biology.* 1 academic year including laboratory.

An academic year of course work equates to that course work which extends over a two-semester or three-quarter period and carries a total credit of between 6 to 8 semester hours or 9 to 12 quarter hours. No application will be considered unless the applicant has completed the science prerequisites or is in the process of completing the last 8 semester hours (or 12 quarter hours) of these courses at time of making application.

In addition to the science requirements, all applicants must complete 6 semester hours (or the equivalent) of college English before matriculating. While the foregoing represent the minimum academic prerequisites for admission, preference generally will be shown to applicants who also have had some college course work in the humanities and/or the social and behavioral sciences, for these disciplines complement the study of medicine, contributing to an understanding of human behavior both in sickness and health.

(2) *Testing requirements.* Applicants for admission are required to have taken the Medical College Admission Test.

(3) *Evidence of character and motivation.* Judgments about character and motivation will be based on letters of reference, personal statements, evaluation reports, personality inventories, interviews, and such other credentials/techniques necessary, as determined by the School of Medicine, to assess thoroughly the noncognitive nature and potential of the aspirant. The School of Medicine will take the initiative in gathering data upon which to make noncognitive assessments of applicants.

§ 242.9 Academic, intellectual, and personal requirements for admission to advanced standing.

(a) Selection of students to advanced standing will be competitive, based on both cognitive and noncognitive factors. Demonstrated aptitude and motivation for a career in medicine in the Uniformed Services will be prime considerations in making admissions decisions. Only the most promising of candidates will be accepted, as judged by scholastic records, letters of recommendation, interviews, and such other credentials and/or appraisal techniques as may be deemed appropriate to use by the School of Medicine.

(b) To be eligible academically for admission to advanced-standing, applicants must have successfully completed the year of medical studies preceding the year in which they desire advanced placement. Only students from fully accredited medical schools will be eligible for transfer.

(c) Individuals who have received the D.D.S., D.M.D., Ph.D., D.O., or D.V.M. degrees, or candidates for these degrees will not be eligible for advanced placement in the School of Medicine at this time. They will only be considered for admission to the Freshman class. Advanced standing applicants are required to have taken the Medical College Admission Test.

§ 242.10 Effective date and implementation.

This part will become effective immediately. Three copies of proposed implementing regulations shall be forwarded to the Assistant Secretary of Defense Health Affairs within 30 days.

[54 FR 31335, July 28, 1989]

PART 242a—PUBLIC MEETING PROCEDURES OF THE BOARD OF REGENTS, UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Sec.

242a.1 Applicability.

242a.2 Definitions.

242a.3 Open meetings.

242a.4 Grounds on which meetings may be closed, or information may be withheld.

242a.5 Procedure for announcing meetings.

242a.6 Procedure for closing meetings.

242a.7 Transcripts, recordings and minutes of closed meetings.

242a.8 Effective date.

AUTHORITY: 5 U.S.C. 552b (g); Pub. L. 94-409.

SOURCE: 42 FR 12853, Mar. 7, 1977, unless otherwise noted.

§ 242a.1 Applicability.

These procedures apply to meetings of the Board of Regents, Uniformed Services University of the Health Sciences (USUHS), including committees of the Board of Regents.

§ 242a.2 Definitions.

(a) *Board or Board of Regents* means the collegial body that conducts the business of the Uniformed Services University of the Health Sciences as specified in Title 10, U.S. Code 2113, consisting of:

(1) Nine persons outstanding in the fields of health and health education appointed from civilian life by the